

FLEIT, KAIN,  
GIBBONS, GUTMAN,  
BONGINI & BIANCO P.L.  
ATTORNEYS AT LAW  
MIAMI - FORT LAUDERDALE - BOCA RATON

601 BRICKELL KEY DRIVE, #404  
MIAMI, FLORIDA 33131  
TELEPHONE: (305) 416-4490  
FACSIMILE: (305) 416-4489  
PBIANCO@FLEITKAIN.COM  
WWW.FLEITKAIN.COM

RECEIVED  
CENTRAL FAX CENTER

MAY 04 2004

### TELECOPIER TRANSMISSION

DATE: May 4, 2004

TOTAL NUMBER OF PAGES: 6  
(INCLUDING THIS PAGE)

TO: THE BOARD OF PATENT APPEALS  
FAX NUMBER: (703) 872-9306

REFERENCE: 780-A02-034

FROM: Paul D. Bianco, Ph.D.  
DIRECT TEL: 305-931-9620  
FAX: 305-931-9627

**IF YOU DO NOT RECEIVE ALL PAGES CLEARLY, PLEASE CONTACT US IMMEDIATELY**

#### MESSAGE:

**PLEASE DELIVER THE FOLLOWING COMMUNICATION CONCERNING THE BELOW IDENTIFIED CASE THE BOARD OF PATENT APPEALS**

Appellant: P. Bonutti

Attorney Docket No: 780-A02-034

Application No.: 09/476,156

Confirmation No.: 7407

Filed: December 30, 1999

Group Art Unit: 2177

For: DISSEMINATION OF LITIGATION INFORMATION

Examiner: S. Channavajjala

1. Response to Office Communication (5 pgs)

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to:  
Fax # (703) 872-9306

COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313

ATTENTION

On May 4, 2004

Dinah Fuentes  
Name of Person Transmitting Facsimile

Dinah Fuentes  
Signature of Person Transmitting Facsimile

**\*\*NOTE\*\*** The information contained in this facsimile message may be privileged or confidential information. It is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employer or agent responsible for delivery of it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is neither intended nor permissible. If you have received this communication in error, please immediately notify us by telephone at the above number (call collect), and return the original you receive to us at the above address via the U.S. postal service.

D

RECEIVED  
CENTRAL FAX CENTER

MAY 04 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: P. Bonutti

Attorney Docket No: 780-A02-034

Application No.: 09/476,156

Confirmation No.: 7407

Filed: December 30, 1999

Group Art Unit: 2177

For: DISSEMINATION OF LITIGATION  
INFORMATION

Examiner: S. Channavajjala

OFFICIAL

RESPONSE TO OFFICE COMMUNICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Communication mailed April 5, 2004, Appellant hereby submits the following amendments and remarks for the above-identified application. In accordance with USPTO practice, each section of this Response begins on a separate sheet.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to:

Fax # (703) 672-9306

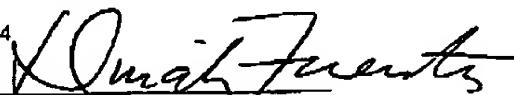
COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313

ATTENTION

On May 4, 2004

Dinah Fuentes  
Name of Person Transmitting Facsimile

Signature of Person Transmitting Facsimile



D